



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/983,078	10/23/2001	Teruo Inoue	06020.0019	8950

7590 12/14/2004

Finnegan, Henderson, Farabow
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, DC 20005-3315

EXAMINER

CUFF, MICHAEL A

ART UNIT	PAPER NUMBER
----------	--------------

3627

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/983,078

Applicant(s)

INOUE ET AL.

Examiner

Michael Cuff

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20040127.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka et al.

Tanaka et al. shows, figure 1, a production plan generation method and apparatus.

The ability to respond quickly and sensitively to market changes is now extremely important in such a multi-product, small-lot manufacturing environment, and requires the ability to generate precise plans for factories which produce goods having multiple production processes or steps and/or which include several product lines, the ability to rapidly change these plans, and the ability to efficiently produce an appropriate number of components and finished products without unnecessary expenditure of material, time or cost.

The apparatus includes an input device for inputting initial data including ultimate downstream process data, and a memory for storing the input data, machine data and process data, and a generator for generating a production plan for the final product, and upstream plans for the components and/or sub-components which are required in order to produce the final product. An "upstream process" (primary order-receiver, producing

Art Unit: 3627

a product) is a process, which is performed earlier during production of a final product. A downstream (a secondary order-receiver, producing a product element) process step is a process, which is a sequentially later process is required to be performed in order to produce a finished product. It is necessary to present in the "downstream process" that depend upon certain conditions, requirements, or factors relating to the "upstream process" (e.g., the volume of product required by the downstream process), and to thereafter input any such conditions as feedback to the production plan generator for the upstream process. The method further comprises repeatedly determining whether any required upstream process still require planning, and then generating a production plan for the next sequential upstream process step to be performed in producing said final product, each time that any upstream process steps are determined to still require planning. Then, a final parameter (final date and amount prediction) relating to the volume and type of components, which must be produced in the next process step to be planned is generated, prior to the generation of each of said upstream production plans.

CPU 1 (control center, supply and demand managing server) has a first production plan generator 2, a parameter generator 4 for generating a variety of parameters used in the production planning process, and a second production plan generator 3. The first production plan generator 2 generates production plans for those processes that can be planned using only initially known data (pre-stored, primary prediction from market knowledge), e.g., basic data 21 (supply and demand database) and process specific production data 22. Second production plan generator 3 is provided for thereafter generating production plans for those processes that can only be

Art Unit: 3627

properly planned using both the initially known data and production plan data which is previously generated by the first production plan generator 2. In other words, second production plan generator 3 is provided for generating appropriate production plans for production processes, other than the final (i.e., the downstream) actual production process, based upon parameters received from parameter generator 4. This second generator thus generates production plans for those upstream production processes or steps, which are dependent upon the requirements and capabilities of later performed (i.e., downstream) production processes.

The system is broadly recited for generic items, which include apparel goods.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sandoval, Gleditsch et al. and Ben-Arieh et al. show systems of interest.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Cuff whose telephone number is (703) 308-0610. The examiner can normally be reached on 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 12/7/04

Michael Cuff
December 07, 2004